

## (1) Verified Sixth and Final Account and (2) Report of Conservator of the Person and Estate of Conservatee and (3) Petition for Discharge of Conservator on Final Account (Prob. C. 2620)

DOD: 4-19-04		<b>STEPHEN RONALD CLOUD</b> , brother and Conservator of the Person and Estate, is Petitioner. Mr. Cloud was originally appointed on 5-14-92 as a Co-Conservator with his father. After his father's death, he continued as sole Successor Conservator.  The Fifth Account was settled 12-18-02.  <b>Amended Sixth Account period:</b> 6-30-02 through 6-29-11  Accounting: \$7,061,538.36 Beginning POH: \$2,578,039.04 Ending POH: \$6,723,119.54 (\$1,961,471.54 is cash) (6,723,119.54 less \$1,497,115.20 in liabilities = \$5,226,004.34)  Conservator: Waives fee  <b>Petitioner prays for an order:</b> 1. Approving, allowing, and settling the Sixth and Final Account; 2. Authorizing distribution to the estate of the remaining property in Conservator's possession; and 3. Discharge on the filing of proper receipts  <b>SEE PAGE 2 (re additional declarations)</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b> <b>Note:</b> Page 3 of this calendar is the related estate file (status for closure). The estate is dependent on this conservatorship account and distribution to the personal representative.  <b>Background:</b> The court previously requested clarification regarding certain unauthorized distributions and liabilities described in the accounting.  The conservator had distributed funds as CDs came due directly to certain trusts that are beneficiaries of the decedent's estate. Attorney Perkins' declaration filed 5-25-11 suggested that the appropriate resolution would be reversal of the distribution with interest, and that surcharge is not necessary. <u>Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.</u>  Conservator's declaration filed 5-2-11 explains the liabilities: In order to pay estate taxes owed by the decedent's estate, the conservatorship estate borrowed \$516,849.00 from a separate trust (the Jasmine Cloud Administrative Trust). Therefore, there is a note payable to the Jasmine Cloud Administrative Trust. Conservator also states that he advanced \$980,406.20 to the conservatorship estate from his personal funds to fund the expenses of the conservatorship estate while the conservatee was alive, and for expenses associated with her death. <u>Examiner notes that there is no documentation provided as to these notes or expenses paid.</u>  The description of the note to the conservator in the original account Schedule G states that the note "included \$35,878 for funeral expenses, \$205,000.00 for administration expense, \$39,727 for appraisals, and \$5,431 for taxes." <u>However, no documentation (itemization or receipts) is provided.</u>  <b>SEE PAGE 2, 3</b>
Cont. from 030811, 050311, 053111, 071211, 091311, 110811, 030811			
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Citation			
FTB Notice			

Declarations filed 5-2-11, 5-25-11, 6-30-11 address prior examiner notes:

- Regarding distribution to trusts: Petitioner states the sole beneficiaries of the probate estate are two testamentary trusts for the benefit of Ryan John Cloud and Stephen Ronald Cloud, Jr. After Conservatee died, CDs belonging to the conservatorship estate began coming due, and the Conservator transferred the cash to the trusts. Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.
- Regarding liabilities: Petitioner states that money was loaned to the Conservatee's estate in order to fund the expenses of the estate while Conservatee was alive and pay those expenses associated with her death. Petitioner states it was his practice to fund all cash needs of the conservatorship estate with his own money. Liabilities include a note payable to a separate trust for \$516,849.00 for estate taxes and a note to Petitioner for \$980,406.20.
- Regarding Probate Code §2620(c): Petitioner states that because so much time has passed since closing of the accounts that records are not available.
- Attorney Perkins recommended reversal of the unauthorized distributions without surcharge, and provided revised schedules reflecting the reversal with interest.

**Attorney Joanne Sanoian appeared at the hearing on 7-12-11 for Stephen Cloud, Jr., an Estate Beneficiary.**

**Minute Order 7-12-11**: Ms. Sanoian advises the Court that her client has not received any notice regarding this matter. She further advises that she is going to want to do some kind of forensic accounting. Ms. Sanoian requests a continuance. Matter continued to 9-13-11.

**Minute Order 9-13-11**: Mr. Perkins advises the Court that they are trying to work out Ms. Sanoian's concerns; therefore, they are requesting a continuance. Matter continued to 11-8-11.

**Status Report filed 11-4-11**: Since the hearing on 9-13-11, Attorneys Perkins and Sanoian have been cooperating; however, no resolution has been reached as of yet. The parties anticipate that forensic accountings which are being prepared in other matters will help resolve some or all of the concerns of Stephen Cloud, Jr.

**Minute Order 11-8-11**: Mr. Perkins requests a four month continuance.

**Status Report filed 3-7-12 states** the continuance was made in part to allow attorneys for Stephen Cloud, Jr., and the attorneys for Conservator to continue to work out an agreement that will allow Conservator's petition to move forward. In response to the Examiner's inquiry, the following items are addressed:

- Janet Wright has appeared on behalf of Mrs. Elaine Cloud, spouse of the Conservator. Ms. Wright informed the Court that Mrs. Cloud had filed a petition for legal separation. No further communication has occurred regarding Mrs. Cloud's concerns.
- It is the intent of the Conservator that all notes payable from the Conservatorship to the Jasmine Cloud to the Jasmine Cloud Administrative Trust and to the Conservator be paid in full prior to distribution to the Decedent's estate.
- Joanne Sanoian appeared at the status hearing for Stephen Cloud, Jr., a beneficiary of the Stephen Ronald Cloud, Jr., Irrevocable Trust dated 5-30-1986, which is one of the beneficiaries of the Conservatee's estate. While Ms. Sanoian's client has never made a formal objection to the accounting, she has indicated that her client has some concerns and does not want the Conservatorship Estate to be distributed until those concerns are resolved. As previously indicated to the Court, it is the hope of Mr. Perkins and Ms. Sanoian that forensic accountings that are being prepared in other matters involving the Conservator will resolve the concerns of Ms. Sanoian's client. Mr. Perkins and Ms. Sanoian continue to communicate and believe continuance will be in the best interest of all parties.

**The following issues remain listed**: See Page 3.

1. **The main issues with the accounting as previously presented were: 1) the unauthorized distributions, and 2) the liabilities.** It appears the unauthorized distributions have been addressed and reversed; however, the court may require further clarification regarding the liabilities.

**Conservator's 5-2-11 declaration** provides a brief explanation of the note payable to another trust and the note payable to the conservator for personal funds advanced. The examples included in the description of the note payable to the conservator (funeral expenses, administration expenses, etc.) total \$286,036. The declaration does not explain what the remaining \$694,370.20 was used for, and further, the loan amounts do not appear to be reflected in the receipts schedules, there is no other documentation (receipts for goods and/or services) or itemization, and copies of the notes are not provided.

**The original prayer requests distribution of all remaining property to the decedent's estate, but does not specifically include these liabilities. The revised schedules filed 6-30-11 appear to reduce the property on hand by the amount of the liabilities.**

**If it is Petitioner's intent for the notes to be paid prior to distribution to the decedent's estate, further clarification may be required at this time.**

**If it is Petitioner's intent for the notes payable to become obligations of the decedent's estate, the court may specifically reserve this issue to be addressed further in that case.**

2. **The declaration amending the account period and schedules to reflect actions subsequent to the prior account period is not verified by the fiduciary (Probate Code §1023).**
3. **Need order.** *Petitioner may wish to submit the order for signature after the hearing.*
4. **It appears notice has not been provided to all relatives within the 2<sup>nd</sup> degree pursuant to Probate Code §§ 2621, 1460(b)(6), 1821(b), Cal. Rule of Court 7.51. Need notice of hearing and appropriate notice.**  
- *Examiner notes that the list of relatives provided in the 1992 petition for conservatorship may be outdated. An updated list and notice is required.*  
- *Examiner notes that the Notice of Hearing filed 2-8-11 (for the 3-8-11 hearing) reflects that notice to the two Estate Beneficiaries (Stephen Cloud, Jr., and Ryan Cloud) was sent "c/o Jeffrey G. Boswell, Esq., Kimble, MacMichael & Upton" but was not sent directly to the beneficiaries.*

**Note:** Minute Order 5-31-11 states "Ms. Wright is appearing on behalf of Ms. Cloud." Examiner is unsure if this refers to Ms. Cloud the decedent (former conservatee?) or another related party.

*Status Report filed 3-7-12 states that Janet Wright has appeared on behalf of Mrs. Elaine Cloud, spouse of the Conservator. Ms. Wright informed the Court that Mrs. Cloud had filed a petition for legal separation. No further communication has occurred regarding Mrs. Cloud's concerns.*

**Note:** Examiner notes that when the 5<sup>th</sup> account was settled in 2002, the language ratifying acts and transactions of the conservator was stricken by the judge. The court may require similar revision to this order.

Atty Alabart, Javier A. (for Petitioners Alfredo Banda Arriaga and Remedios Nieto Rodriguez, parents)  
 Atty Ruiz, Eddie (co-counsel by association for Petitioners Alfredo Banda Arriaga and Remedios Nieto Rodriguez, parents)  
 Atty Fanucchi, Edward L. (for Maria Luisa Sanchez, Respondent, purported spouse)  
 Atty Kruthers, Heather H. (for Petitioner Public Administrator, Administrator of the Estate)  
 Atty Williams, Robert; Perez, Holley, of Perez, Williams & Medina (Request for Special Notice)

**Amended First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees (Probate Code § 9202, 10800, 10810, 10951 & 11600)**

<b>DOD: 5/14/2004</b>		<b>PUBLIC ADMINISTRATOR</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 9/23/2005 – 1/12/2012</b>	<b>Note:</b> Case files are with Research Attorney.
Cont. from 022812, 031512, 051012		Accounting - <b>\$214,903.66</b>	<b>Continued from 5/10/2012.</b> Minute Order states Mr. Fanucchi objects to the petition [for approval of the Amended First and Final Account.] The Court directs Mr. Fanucchi to contact Ms. Kruthers in an effort to resolve the issues. Matter continued to 6/21/2012. The Court directs that the Perez Firm be advised of all hearings.
✓	Aff.Sub.Wit.	Beginning POH - <b>\$203,823.43</b>	
✓	Verified	Ending POH - <b>\$109,346.53</b> (all cash)	
✓	Inventory	Administrator - <b>\$2,500.00</b> (amount requested is per the statement during the parties' negotiations of the exact fee request amounts that would be made by the attorney and administrator;)	
	PTC	Attorney - <b>\$7,131.87</b> (less than \$7,298.07 statutory; amount requested is per the statement during the parties' negotiations of the exact fee request amounts that would be made by the attorney and administrator;)	
✓	Not.Cred.	Attorney XO - <b>\$6,030.00</b> (per Itemization attached as Exhibit B for 40.2 hours @ 150.00/hour; for accounting of receipts from holder of funds prior to Decedent's death, addressing questions of law and fact regarding these and Mexican proceedings, and facilitating negotiations between the parties;)	
✓	Notice of Hrg	Costs - <b>\$758.00</b> (filing fees and certified copies)	
✓	Aff.Mail W/	Bond fee - <b>\$3,223.56</b> (o.k.)	
	Aff.Pub.		
✓	Sp.Ntc. W/		
	Pers.Serv.		<b>Note:</b> Request for Judicial Notice filed 6/15/2012 requests the Court take judicial notice of a certified copy of the Judgment in the Anti-SLAPP Motion filed by Attorney Fanucchi in Case #10CECG03589, which was signed 4/24/2012 and which orders a total judgment of <b>\$8,077.00</b> in attorney fees and costs be entered in favor of Attorney Fanucchi. Notice of Lien of money judgment in said amount to debtor Alfredo Banda Arriaga (Plaintiff) was filed 6/15/2012.
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		<b>Reviewed by:</b> LEG
	UCCJEA		<b>Reviewed on:</b> 6/15/12
	Citation		<b>Updates:</b> 6/18/12
✓	FTB Notice		<b>Recommendation:</b>
~Please see additional page~			<b>File 2 – Banda-Nieto</b>

**Petitioner states:**

- It was agreed among the parties, attorneys and the Court that the Public Administrator would file his final account and hold the remaining funds, after payment of commissions and fees, until the matter of who is entitled to receive distribution is resolved; thus, the estate is not in a condition to be closed as the heirs, devisees and/or legatees of the Decedent entitled to final distribution of the estate have not been determined;
- The two issues that have prevented closure of the estate administration are: the persons entitled to distribution of the estate, and the sufficiency of the amount of estate assets; a brief summary of the status of these issues is as follows:
  - Decedent's 1997 California Will admitted to probate for administration on 3/27/2006 identified Decedent's parents **ALFREDO BANDA ARRIAGA and REMEDIOS NIETO RODRIGUEZ** (represented by Attorney Javier A. Alabart) as the only beneficiaries of Decedent's estate;
  - A woman named **MARIA LUISA SANCHEZ** (represented by Attorney Edward L. Fanucchi) is asserting that she is the rightful heir of the Decedent entitled to distribution of the entire estate of Decedent; this issue has not yet been resolved;
  - The source of the Decedent's estate assets is the Decedent's Workers' Compensation benefits, which were received as part of a settlement in the 1997 Workers' Compensation Appeals Board (WCAB) case FRE 01150566 that included settlement of a third-party case by way of a *Third-Party Compromise and Release* approved by Workers' Compensation Judge George J. Perlingieri; specifically, the assets of the Decedent's estate belonging to the Decedent at the time of Decedent's death consist of the amount remaining from that settlement after distributions made to the Decedent or for his benefit;
  - At the time of Decedent's death, the remaining settlement funds were held in trust by Attorney Robert F. Perez and the law firm of Perez, Makasian, Williams & Medina ("The Perez Law Firm") at the direction of Judge George J. Perlingieri;
  - A dispute arose as to whether the amount delivered to the Public Administrator after the Decedent's death by Attorney Robert F. Perez and The Perez Law Firm was the accurate amount remaining from the WCAB case settlement;
  - Ms. Sanchez and Attorney Fanucchi contended that there should have been substantially more settlement proceeds remaining; the Public Administrator's attorney conducted an extensive review of the initial WCAB settlement amount and the distributions made therefrom in an effort to resolve this issue; after receipt of numerous documents and discussion with The Perez Law Firm, the attorney was able to confirm that all proceeds were accounted for;
  - Because Attorney Fanucchi was still questioning the amount, the Court ordered attorneys Kruthers, Perez and Fanucchi to meet; at that meeting, after reviewing the forensic accounting results and supporting documentation, attorney Fanucchi indicated that although he needed to report back to his client [Ms. Sanchez], he was satisfied that all of the settlement funds had been accurately accounted for; subsequently, Attorney Fanucchi noted in Court that his client agreed that all funds had been properly accounted for;
  - Neither Attorney Alabart nor his clients have ever objected, contested or disputed that the amount turned over by Attorney Robert Perez and The Perez Law Firm was the accurate amount remaining from the WCAB case settlement proceeds.
- A preliminary distribution of the estate in the amount of **\$103,000.00** was made to Attorney Fanucchi on behalf of his client, Maria Luisa Sanchez, pursuant to Court order dated 11/5/2007; the *Receipt of Distribution* signed by Attorney Fanucchi was filed with the Court on 12/12/2007;

**~Please see additional page~**

**Petitioner states, continued:**

- After payment of commissions, fees and costs in the amount of **\$19,643.43**, there will be **\$89,703.10** to distribute upon further Court order.

**Petitioner prays for an Order:**

1. Settling, allowing and approving the First and Final Account and confirming and approving all acts and proceedings of the Petitioner as Administrator;
2. That pursuant to the specific agreement and acceptance by Attorney Fanucchi and his client, Maria Luisa Sanchez, and there being no objection by Attorney Alabart and his clients, Alfredo Banda Arriaga and Remedios Nieto Rodriguez, the amount of the funds delivered to the Public Administrator by The Perez Law Firm is accepted as the correctly accounted for amount remaining from the Decedent's 1997 Workers' Compensation Case FRE 01150566 and third-party settlement proceeds subject to probate administration with no further action to be pursued regarding this issue;
3. Authorizing Petitioner to pay the statutory compensation to Petitioner, and statutory fees and extraordinary legal fees to Petitioner's attorney; and
4. Authorizing Petitioner to pay from the estate the bond fee and the costs advanced.

Atty Perkins, Jan T. (for Conservator Stephen Ronald Cloud)  
 Atty Sanoian, Joanne (for Stephen Cloud, Jr., Beneficiary)

Filing of First Account or Petition for Final Distribution and Filing of Inventory and Appraisal

DOD: 04/19/04		<b>STEPHEN RONALD CLOUD</b> was appointed Executor with full IAEA without bond on 8-29-06 and Letters Issued 8-30-06.  Inventory and appraisal was due 12-29-06.  First account or petition for final distribution was due 8-30-07.  <b>Status Report of Stephen Ronald Cloud regarding the Inventory and Appraisal filed 4-19-10</b> states he is also the conservator of the estate of Rhonda Jane Cloud, case no. 0458379. As of the date of the status report the Conservator has not provided Attorney Rindlisbacher with the accounting required nor has the Conservator delivered the Conservatee's estate to Executor. When a final accounting has been prepared and approved by the Court in the Conservatorship, Executor will be in a position to administer the estate of the Decedent.  <b>Probate Referee Steven Diebert filed a Request for Special Notice on 8-31-11.</b>  <b>Minute Order 11-8-11:</b> Mr. Perkins requests a four month continuance.  <b>Minute Order 3-8-12:</b> Matter continued to 6-21-12.  <i>As of 6-14-12, nothing further has been filed.</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> Page 1 of this calendar is the related conservatorship final account. This estate is dependent on the conservatorship account and distribution to the personal representative.  Stephen Ronald Cloud is also Conservator of the Estate of Rhonda Jane Cloud in Case # 458379.  1. Need Inventory and Appraisal and Petition for distribution.  <u>Notes:</u> <i>Minute Order 11-16-10</i> states attorney Rindlisbacher represents to the court that they are awaiting bank records that were requested several weeks ago with regard to the conservatorship accounting. <u>The court advises that this will be the last continuance with the possibility of sanctions absent extraordinary good cause.</u>  Status report filed 4-9-10 indicated Executor was awaiting distribution from conservatorship estate; however, <u>Examiner notes that the I&amp;A for the probate estate should include assets as of date of death, and may not be contingent on distribution from the conservatorship estate.</u>  Documents filed in the Conservatorship Estate (0458379) indicate that Mr. Cloud made <u>unauthorized preliminary distributions</u> after the date of death <u>totaling \$1,779,985.14</u> directly from the conservatorship accounts to the probate estate beneficiaries' trust accounts, of which he is the trustee.  <u>Probate Referee Steven Diebert has filed a Request for Special Notice in this Estate case.</u>
Cont. from 042810, 061510, 092110, 111610, 012511, 030811, 050311, 071211, 091311 110811, 030811			
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Citation			
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		Updates: Contacts: Reviewed 6-14-12 Recommendation: Reviewed by: skc File 3 - Cloud	

DOD: 10-10-08		
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✓	Order	
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	Citation	
✓	FTB Notice	

**LEIGH W. BURNSIDE, on behalf of Dowling Aaron Incorporated (formerly Dowling, Aaron & Keeler, Inc.),** former attorney for **SHERRY M. MEALER,** Administrator, is Petitioner.

**I&A: \$81,731.32** (consisting of \$5,732.32 cash plus real and personal property as of the decedent's date of death)

**Petitioner requests** ordinary and extraordinary fees for services in connection with the representation of the Administrator:

**Statutory fees: \$3,269.29**

**Extraordinary fees: \$1,550.75**  
2.10 attorney hours and 5.35 paralegal hours in extraordinary efforts to locate and secure assets for a total of \$922.75, and \$628 in connection with the anticipated sale of the estate real property prior to withdrawal as attorney of record.

**Costs: \$1,154.28** (filing fees, recording fee, publication, certified copies, FedEx)

**Petitioner states** that Dowling Aaron, Inc., performed ordinary services during administration including in connection with the sale of the residence, that to Petitioner's knowledge was not completed, and including preparation of a draft final waiver of account and petition for distribution, which was never finalized because the firm had to withdraw due to the client's failure to communicate or move forward with the sale. Based on information and belief, it is understood that the Administrator is to sell the real property to pay costs of administration before proceeding with final distribution.

**Petitioner prays for an order:**

1. Allowing and crediting statutory attorney's fees of \$3,269.29 as full satisfaction for ordinary services;
2. Allowing reimbursement for \$1,154.28 in costs;
3. Allowing and crediting extraordinary fees in the amount of \$1,550.75 as full satisfaction for extraordinary services; and
4. That upon entry of this order, an abstract of judgment shall be issued in favor of Dowling Aaron Incorporated and against the estate on the unpaid balance.

File 4 - Easley



## (1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts (Probate Code 2620, 2623, 2628, 2630, 2942)

<b>Age: 81</b> <b>DOB: 08/20/1930</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.  Account period: <b>10/06/10 – 04/10/12</b>  Accounting - <b>\$8,376.02</b> Beginning POH - <b>\$0.00</b> Ending POH - <b>\$2,399.52</b>  Conservator - <b>\$3,110.88</b> (27.18 Deputy hours @ \$96/hr. and 6.60 staff hours @ \$76/hr.)  Attorney - <b>\$2,000.00</b> (per Local Rule)  Bond Fee - <b>\$37.50</b> (ok)  Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed on the estate for any unpaid balances of the authorized fees and commissions.  Petitioner states that the conservatorship meets the requirements of Probate Code § 2628(a) to dispense with further accountings. Petitioner requests that the court dispense with further accountings as long as the conservatorship estate continues to meet the requirements of Probate Code § 2628(a).  <b>Petitioner prays for an Order:</b> <ol style="list-style-type: none"> <li>1. Approving, allowing and settling the first account;</li> <li>2. Authorizing the conservator and attorney fees and commissions;</li> <li>3. Payment of the bond fee;</li> <li>4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions; and</li> <li>5. Dispensing with further accounts.</li> </ol>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> If further accountings are not dispensed with, a status hearing will be set as follows:  • <b>Friday, 06/27/14 at 9:00a.m. in Dept. 303</b> for the filing of the third account  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.																																																																				
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Atty Kruthers, Heather H

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts (Probate Coe 2620, 2623, 2628, 2630, 2942)

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		<p><b><u>OFF CALENDAR</u></b></p> <p>Matter appears to have been inadvertently calendared twice. Matter heard on 06/20/12.</p>
		Reviewed by: JF
		Reviewed on: 06/15/12
		Updates:
		Recommendation:
		File 6 - Hayes

## Report of Executor and Petition for Final Distribution

<b>DOD: 9-14-11</b>		<b>JOHN D. SEABURG</b> , Son and Executor with Full IAEA without bond, is Petitioner.  Accounting is waived.  I&A: \$79,281.98 POH: \$30,773.86 (cash)  Executor: Waived  Attorney: \$2,100.00 (Less than statutory)  Reserve: \$500.00  <b>Distribution pursuant to Decedent's will:</b>  John D. Seaburg: \$30,273.86	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. It appears Attorney Little was paid in advance of Court order in violation of Probate Code §10830(c) and Cal. Rule of Court 7.700.
<input checked="" type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
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	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b> 11-7-11		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
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	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc	
		<b>Reviewed on:</b> 6-18-12	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 7 - Seaburg</b>	

## (1) First and Final Report of Administration, (2) Petition for Statutory Attorneys Fees and for (3) Final Distribution on Waiver of Accounting and Notice

<b>DOD: 09/20/11</b>		<b>PAUL TILLER, SR.,</b> Executor, is Petitioner.  Accounting is waived.  I & A - \$95,000.00 POH - \$95,000.00  Executor - waives  Attorney - \$3,800.00 (statutory, to be paid outside of the estate)  <b>Distribution, pursuant to decedent's Will, is to:</b>  Paul James Tiller, Sr - 50% interest in real property located at 1425 Huntsman Street, Selma, CA  Judy Tiller - 50% interest in real property located at 1425 Huntsman Street, Selma, CA	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
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<input type="checkbox"/>	<b>Letters</b> 01/23/12		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
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<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF <b>Reviewed on:</b> 06/18/12 <b>Updates:</b> <b>Recommendation:</b> SUBMITTED <b>File 8 - Tiller</b>	

Atty Walters, Jennifer L. (for Catherine Snyder – Former temporary conservator of the person)  
Atty Wright, Janet L. (for Bruce Bickel – Former Temporary Conservator of the Estate and Court  
appointed for Conservatee/Petitioner)

**(1) Petition for Approval of First and Final Report of Temporary Conservator of the Estate; (2) Request for Approval of Payment of Conservator's Fees; (3) Request for Approval of Payment of Attorney's Fees for Court Appointed Counsel for Conservatee; (4) Request for Discharge of Temporary Conservator of the Estate and Court Appointed Counsel [Prob. C. 1470, 2620, 2630, 2633, 2640]**

<b>Age:</b> 51 <b>DOB:</b> 01/26/61	<b>BRUCE BICKEL</b> , former temporary conservator of the estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Background:</b> On 01/09/12, Catherine Snyder, conservatee's sister, petitioned the court for appointment as temporary and permanent conservator of the person and estate of Robert Snyder. On 01/24/12, at the hearing on the Petition for Temporary Conservatorship, Catherine Snyder was appointed as temporary conservator of the person and estate. On 02/10/12, the conservatee's wife, Kristen Snyder, filed an objection to the appointment of Catherine Snyder. On 02/14/12, conservatee's son, Ross Snyder, filed a petition for appointment as conservator of the person and estate. On 03/13/12, the conservatee filed an objection to the appointment of Ross Snyder as conservator of the person and estate. At a hearing on 02/23/12, the court ordered that Catherine Snyder continue as temporary conservator of the person and appointed Bruce Bickel as temporary conservator of the estate. On 04/10/12 a settlement conference was heard, at which time the parties agreed that each petitioning party would withdraw their petitions and/or objections and that Mr. Snyder's financial and medical affairs would be handled pursuant to the terms and authority granted in his Durable Power of Attorney and Advanced Health Care Directive and the temporary conservatorship of Robert Snyder was terminated.	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
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<input type="checkbox"/> <b>Aff.Pub.</b>		
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<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	<b>Petitioner states:</b> He was appointed as Temporary Conservator of the Estate on 02/23/12 and served in that capacity until 04/10/12. The temporary conservatorship of the estate was terminated prior to an Inventory & Appraisal being filed. Pursuant to Probate Code § 2633, the Court may make an order that the conservator need not file an Inventory & Appraisal, but may file an accounting covering only those assets which were marshaled. Petitioner states that he did not formally marshal any assets of the Estate, consequently, no formal accounting is required, but reports the following regarding the temporary conservatorship of the estate covering the period of 01/31/12 – 04/30/12:	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 06/18/12 <b>Updates:</b> <b>Recommendation:</b> <b>File 9 - Snyder</b>

During the limited time Mr. Bickel served as Temporary Conservator of the Estate, though he did not formally take possession of any of Mr. Snyder's accounts by transferring them to the name of the conservatorship estate, Mr. Bickel rendered services to the estate by identifying the assets of the estate and securing or attempting to secure physical possessions of Mr. Snyder's personal property assets, secured Mr. Snyder's checkbook, preparing a detailed list of the short and long term liabilities of the estate, advising Mrs. Kristen Snyder and Catherine Snyder regarding options, coordinating and/or making provisions for payment of Mr. Snyder and Mrs. Snyder's monthly expenses, making provision for the preparation and coordinating the payment of Mr. and Mrs. Snyder's 2011 tax returns and attending the relevant hearings associated with this matter after his appointment. On April 17, 2012, Mr. Bickel prepared and sent a report to Kristen Snyder and Catherine Snyder detailing his activities as temporary conservator of the estate.

Conservator - **\$5,642.25** (per itemization, for identification and scheduling of assets, identification and scheduling of liabilities, mediating and coordinating of payments of utilities services for residence, obtaining Mr. Snyder's vehicle, conferring with CPA for preparation of 2012 tax returns, obtaining signatures and payments from Mr. and Mrs. Snyder for filing their tax returns, reporting on the status of the estate, attending hearings)

Conservator Costs - **\$489.50** (for payment of income taxes on behalf of conservatee, filing fees, and certified copies)

Attorney - **\$10,000.00** (per itemization, for representation of Mr. Snyder in the conservatorship proceedings, reviewing documentation, meeting with the proposed conservatee, attending hearings, assisting conservatee with estate planning matters including preparation of a Durable Power of Attorney and Advanced Health Care Directive and Nomination of a Conservator, preparing and filing objection to petition of Ross Snyder, attendance at mandatory settlement conference, preparation for the mandatory settlement conference, preparation of the first and final account and coordination with Bruce Bickel)

**Petitioner prays for an Order:**

1. Determining that the temporary conservatorship of the person and estate of Mr. Snyder terminated on April 10, 2012;
2. Confirming and Approving the acts and proceedings of Bruce Bickel as temporary conservator of the estate;
3. Authorizing the Attorney's fees to Janet Wright;
4. Authorizing the Conservator fees and costs to Bruce Bickel;
5. Discharging Bruce Bickel as temporary conservator of the estate; and
6. Discharging Janet Wright as court appointed counsel for Robert Snyder.

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 2 DOB: 01/16/10		<b><u>NO TEMPORARY REQUESTED</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>OLGA TERAN</b> , maternal grandmother, is Petitioner.		<b><u>CONTINUED FROM 05/17/12</u></b>	
		Father: UNKNOWN – <i>court dispensed with notice on 04/05/12</i>		1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for:</i>	
Cont. from 040512, 051712		Mother: ELIZA FRAUSTO – <i>personally served on 06/01/12</i>		- Paternal grandparents	
Aff.Sub.Wit.		Paternal grandparents: UNKNOWN		- Jesse Frausto (maternal grandfather)	
✓	Verified	Maternal grandfather: JESSE FRAUSTO		- Any sibling 12 and over	
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail	x	Siblings: LOGAN HERNANDEZ, ERIKA HERNANDEZ, JAYDEN HERNANDEZ, EDUARDO TREJO		
	Aff.Pub.		Petitioner states that Gabriella has lived with her since she was 3 months old. At that time, her mother was not able or willing to support her.		
	Sp.Ntc.		Petitioner states that she has been Gabriella's sole provider and caregiver.		
✓	Pers.Serv.		<b>Court Investigator Jennifer Young's report was filed 03/29/12.</b> The report states that the minor has lived with Petitioner in her Madera County home since she was three months old. If the Court determines that Fresno County is the appropriate jurisdiction, it is recommended that the petition be <b><u>GRANTED</u></b> as it appears Petitioner is providing a safe and stable environment and is willing and able to meet the minor's needs.		
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 06/15/12	
				Updates:	
				Recommendation:	
				File 10 - Hernandez	

<b>DOD: 8-7-03</b>		<b>ARNOLD TEIXEIRA, JR., and ROBERT TEIXEIRA</b> , sons, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	
		No other proceedings	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	I&A - \$85,000.00	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
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<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Will dated 5-22-03 states that in conjunction with this will, the Decedent also executed an amendment to an existing trust that changes the disposition, subsequent to her death, of specified assets to the extent that they are subject to her power of amendment as surviving settlor and trustee. The will states: "In the event a court of competent jurisdiction determines that said First Amendment to the Teixeira Revocable Living Trust (Survivor's Trust) is void or unenforceable, I hereby exercise the power of appointment specifically reserved to me under ARTICLE FOUR, Section 4.01 of said trust agreement to appoint and direct the distribution of any assets then subject to my testamentary power in accordance with the following provisions. ..." The will then devises certain real property to Petitioners in equal shares.

Petitioners request court determination that Decedent's one-third (1/3) interest in certain real property passes to them pursuant to Decedent's will.

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 11 - Teixeira



Probate Status Hearing Re: Filing of First Account or Petition for Final Distribution  
 (Prob. C. §12200, et seq.)

DOD: 8/31/2010		<p><b>PAUL A. FILLION</b> was appointed as Executor of the Estate with full IAEA Authority and without bond on 11/15/10.</p> <p>Corrected I &amp; A filed on 9/23/11 showing the estate value as \$125,000.00</p> <p>First account or petition for final distribution was due 11/15/11.</p> <p>This status hearing was set for the filing of the first account or petition for final distribution.</p> <p>A copy of the Notice of Status Hearing was mailed to Paul A. Fillion on 9/26/11.</p> <p>Minute Order (Judge Bruce Smith) dated 1/23/12 states Mr. Fillon advises the court that he just listed the house for sale. He further advises the Court that he needs to obtain counsel. The Court orders Mr. Fillon to file and serve the first account by 2/14/12.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>CONTINUED FROM 02/22/12</u></p> <p>As of 06/15/12, no additional documents have been filed.</p> <p>1. Need current status report, first account or petition for final distribution.</p> <p><u>Note:</u> Paul A. Fillion initially represented by Attorney John Barrus. Mr. Barrus substituted out of the case on 9/22/11 and Mr. Fillion was self-represented. On 2/14/12 a Substitution of Attorney was filed whereby Mr. Barrus is again representing Mr. Fillion.</p>
Cont. from 012312, 022212			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

**13 Martin Rodriguez Special Needs Trust (SNT) Case No. 11CEPR00430****Atty Matlak, Steven M. (for Martin Rodriguez – Beneficiary)****Status Hearing Re: Accounting**

		<b>The MARTIN RODRIGUEZ SPECIAL NEEDS TRUST</b> was established by Order of this Court on 06/30/11.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. <b>Need First and Final Accounting of Former Trustee.</b>
		<b>PERINE &amp; DICKEN, PROFESSIONAL FIDUCIARIES AND CONSERVATORS</b> consisting of <b>RONALD DICKEN, PATRICIA DICKEN, KAREN STEELE,</b> and <b>CHRISTOPHER KENNEDY,</b> were appointed as the initial trustee of the Trust with bond set at \$1,139,886.00.	
Cont. from		On 3/12/12, <b>MARTIN RODRIGUEZ,</b> beneficiary, filed a Petition to Appoint Successor Trustee.	
Aff.Sub.Wit.			
Verified		On 04/23/12, <b>BRUCE BICKEL,</b> was appointed as successor Trustee with bond set at \$1,139,886.00.	
Inventory			
PTC		<b>Minute Order from 04/23/12</b> hearing set this matter for status on 06/21/12 regarding the status of an Accounting by the former Trustees.	
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

		The <b>ANGELA MATOS TRUST</b> was established by Order of this Court on 04/20/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>BRUCE BICKEL</b> , was appointed as trustee of the Trust with bond set at \$464,792.37.	
<b>Cont. from</b>		<b>Minute Order from hearing on 04/19/20</b> set this matter for a Status Hearing regarding the outcome of proceedings in civil court.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>	<b>Bond of Bruce Bickel</b> was filed 05/07/12.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	<b>Status Report filed 06/11/12</b> states the matter was continued to 06/21/12 for 1) status hearing regarding the outcome of the proceedings in Civil Court, 2) to fix the amount of payments, if any, that the Trustee is authorized to receive from the Trust on an ongoing monthly basis for services rendered in connection with the administration of the trust, 3) to fix the amount of attorney's fees and costs, if any, the Trustee will be directed to pay to Dowling for their legal services rendered in connection with establishing the Trust.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	At the hearing on 04/19/12, the Court established the Trust under Probate Code § 3602(c)(3), appointed Bruce Bickel as the initial Trustee, and ruled that the Trust be funded with litigation settlement proceeds from litigation in Sacramento and Fresno Counties. On 05/25/12, the Civil Court agreed to the transfer of the Fresno Litigation Blocked Account and Blocked Account Annuity to the Trust and the Order Approving Compromise of Pending Action was filed. In the Civil Order, settlement proceeds from the Sacramento Litigation in an amount of \$280,888.32 were directed to the Trust and the remaining proceeds in the amount of \$1,045,608.17 were ordered to be used to fund a tax deferred annuity or annuities for Angela's benefit. The annuity being purchased from the Sacramento litigation will be distributed to Angela as follows:	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	<ul style="list-style-type: none"> <li>a. Beginning 10/30/33 (age 30), Angela shall receive \$5,062.36 per month on a level basis for her lifetime for a period of twenty five years certain;</li> <li>b. On 10/30/33 (age 30), Angela shall receive a lump sum of \$250,000.00;</li> <li>c. On 10/30/38 (age 35), Angela shall receive a lump sum of \$350,000.00;</li> <li>d. On 10/30/43 (age 40), Angela shall receive a lump sum payment of \$400,000.00.</li> </ul>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	Continued on Page 2	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
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<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Reviewed by:** JF

**Reviewed on:** 06/19/12

**Updates:**

**Recommendation:**

**File 14 - Malos**

Payments from the Sacramento litigation were structured to not begin until Angela is thirty (30) years old because she will already be receiving substantial proceeds from the first settlement (the Fresno litigation) in that until age 18, the Fresno litigation annuity will pay \$10,538.52 annually to the Trust. Then, between the ages of 18 and 23, the Fresno litigation annuity will pay as follows:

- a. Beginning 10/30/21 (age 18), Angela shall receive \$50,000.00 annually for 5 years and \$4,000.00 monthly for 5 years (meant to cover college and living expenses);
- b. Beginning 10/30/26 (age 23), Angela shall receive \$8,874.00 per month for the duration of her life.

Bruce Bickel, Trustee of the Angela Matos Trust, previously filed a Declaration in Support of Trustee's Fees on 04/13/12, to provide the Court with a basis for supporting his fee request. Mr. Bickel requested that the Court authorize payment of fees each month at the rate of \$150.00 per hour for services rendered in connection with the administration of the Trust, but not to exceed \$1,000.00 in any given month. Any excess fees incurred over \$1,000.00 in any given month would require prior approval from of the Court. Mr. Bickel's declaration is the same Trustee Fees request made in the Petition for Order Establishing Trust found at paragraph 23 of the Petition.

Steven Matlak, attorney for Dowling representing Angela in this matter, previously filed a Declaration in Support of Attorney's Fees on 04/13/12, to provide the Court with a basis for supporting Dowling's fee request. As stated in the declaration, Dowling requested \$4,415.00 in legal fees and \$475.00 in advanced out of pocket expenses for a total of \$4,890.00 to satisfy legal services rendered in connection with this matter.

**Wherefore, Petitioner prays for an Order:**

1. That the Trustee is authorized to receive payments for fees each month at the rate of \$150.00/hour for services rendered in connection with the administration of the Trust, but not to exceed \$1,000.00 in any given month. Reimbursement for any fees in excess of \$1,000.00 in any given month requires prior approval of the Court;
2. That the Court approve and direct the payment of \$4,415.00 to the law firm of Dowling Aaron Incorporated and reimbursement for out of pocket costs in the amount of \$475.00 for their legal services rendered in connection with the Petition.

## Petition for Visitation

<b>Age: 8</b>		<b>DANIEL QUIROZ</b> , Father, is Petitioner.  <b>MARIA PONCE QUIROZ</b> , Paternal Grandmother, was appointed Guardian on 8-20-09. - Served by mail 5-31-12  Mother: <b>LINDSEY BREE CABALLERO</b> - Personally served 6-5-12  Paternal Grandfather: Deceased Maternal Grandfather: Deceased Maternal Grandmother: Christy Caballero - Served by mail 5-31-12  <b>Petitioner states</b> for the last several years he has been working hard to get his life together and has reached a point where he can provide for his daughter in a good family-oriented environment. He and his wife were married in 2008 and they are raising her two daughters, ages 9 and 7, but his life is not complete without Kaya. Since 2007 he has been providing health care as well as financial support.  The purpose of this petition is to modify visitation so that Kaya would be able to stay overnight and spend more time with his wife and two step-daughters. Currently he sees Kaya about four times a week with guardian's direct supervision. He uses this time to teach her to read and write, add and subtract. He believes he is a good father and would like the opportunity to prove himself to Kaya and the courts. He is asking the courts to remove his restrictions.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Guardian is Spanish-speaking.  <b>Minute Order 8-20-09:</b> The Court orders that the father is to be supervised with the child at all times.  <b>Note:</b> The Court may wish to make visitation order by minute order only. Alternatively, if the Court prefers, Examiner can prepare an Order After Hearing.
<b>DOB: 1-18-04</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> <span style="float:right">w</span>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b> <span style="float:right">w</span>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> <span style="float:right">X</span>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 15 - Quiroz

## Status Hearing Re: Filing of the Amended Account

<b>DOD: 6-25-09</b>		<b>KEVIN JOHNSON</b> , son, was appointed Administrator without bond with Limited IAEA authority and Letters issued on 5-20-10.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		I&A filed 7-14-10 shows a total estate value of \$45,000.00 (real property only). The sole heirs of the estate are the Administrator, Kevin Johnson, and his sister, Phyllis Williams.	<b>Note:</b> The Administrator was formerly represented by Attorney Joanne Sanoian. Substitution of Attorney filed 3-14-11 indicates the Administrator is now self-represented.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Status report filed 1-18-12 states Administrator has completed administration of the estate except that the real property cannot be sold because it is currently subject to two actions: <ul style="list-style-type: none"> <li>• Unlawful Detainer action 10CECL07703 (Johnson v. Williams)</li> <li>• Civil Action 11CECG00131 (Williams v. Estate of Shirley McCray)</li> </ul>	<b>Note:</b> The Administrator requests in the status report that the Court make a determination regarding the attorney's fees charged by Joanne Sanoian, and Attorney Sanoian has filed a Declaration in response; <u>however, the issue of attorney's fees is not before the Court at this time.</u>
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	Petitioner filed a First and Final Account and also a Petition for Court Order to Sell Estate Real Property on 1-18-12. At the hearings on 3-8-12, numerous issues were noted and the Court set this status hearing for the filing of an amended account.	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Per Minute Order 5-10-12, the Administrator's sister, Phyllis Williams, informed the Court that she had a loan in progress to purchase the real property.	
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>	Status Report filed 6-13-12 states that Ms. Williams was not able to obtain a loan to purchase the property; however, she is living in the home and making the mortgage payments. They are paying on the creditor's claim from their own funds to reduce the debt, but there is still a balance of approx.. \$7,000.00, and there are also property taxes that must be paid prior to closing the estate.	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	In addition, Joanne Sanoian, former attorney for Administrator, has submitted a bill for \$11,198.75. The Administrator states that even with the extraordinary fees for preparing the unlawful detainer action, the attorney fees should not be \$11,198.75, and requests the Court make a determination of a fair amount for such fees.	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	Administrator states that the estate has no liquid assets to pay the filing fees, creditor's claim, property taxes, or attorney's fees. Therefore, it is requested that the Court allow the administrator to immediately list the home for sale with a qualified agent and attempt to sell it, with Court confirmation. Administrator requests 90 days to accomplish this.	
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input checked="" type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 16 - McCray

Petition to Determine Succession to Real Property (Prob. C. 13151)

<b>DOD: 3-25-12</b>		<b>JACQUI CROUCH and CRAIG DAVID BEECHER</b> , Daughter and Son, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	1. Petitioners did not answer #7 regarding administration proceedings in another jurisdiction.  2. Petitioners did not answer #9a regarding whether the decedent was survived by a spouse.  If a spouse is deceased, need date of death per Local Rule 7.1.1.D. (This may affect intestate succession pursuant to Probate Code §6402.5.)  If a spouse is not deceased, need clarification with reference to Probate Code §6401.  3. Petitioners do not state the decedent's <i>interest</i> in the assets ( <i>i.e., a 100% separate property interest, etc.</i> ). Need clarification.  4. Petitioners do not state the interest that they are each claiming ( <i>i.e., equal shares?</i> ).  5. Need order.
		No other proceedings	
	Aff.Sub.Wit.		Reviewed by: skc Reviewed on: 6-19-12 Updates: Recommendation: File 17 - Carns
✓	Verified		
	Inventory	I&A \$146,000.00 (real property plus a vehicle)	
	PTC		
	Not.Cred.	Decedent died intestate	
N/A	Notice of Hrg	Petitioners request court determination that Decedent's residence and vehicle pass to them.	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Age:		NEEDS/PROBLEMS/COMMENTS:  <b>Continued to 09/06/2012 at request of Attorney</b>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/15/2012
		Updates:
		Recommendation:
		File 18 - Garrison



## Petition to Determine Succession to Real Property (Prob. C. 13151)

<b>DOD: 8-23-09</b>			<b>RALPH FRIESEN</b> , brother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			40 days since DOD	
			No other proceedings	
	<b>Aff.Sub.Wit.</b>		I&A: \$105,023.64 (real property in Selma, CA, plus minimal cash)	
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>		Decedent died intestate	
	<b>Not.Cred.</b>			
N/A	<b>Notice of Hrg</b>		Petitioner requests court determination that the real property and cash pass to him pursuant to intestate succession.	
	<b>Aff.Mail</b>			
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
				<b>Reviewed by:</b> skc
				<b>Reviewed on:</b> 6-19-12
				<b>Updates:</b>
				<b>Recommendation:</b> SUBMITTED
				<b>File 19 - Friesen</b>

## Petition to Determine Succession to Real Property (Prob. C. 13151)

<b>DOD: 3-5-12</b>		<b>MARIA GUADALUPE CAMPOS</b> , sister, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	1. Petitioner filed this petition with a fee waiver. Filing fees are due prior to any distribution (\$395.00).
		No other proceedings	
	<b>Aff.Sub.Wit.</b>		2. Petitioner does not state the decedent's <i>interest</i> in the real property (i.e., a 100% separate property interest, etc.). Need clarification.
✓	<b>Verified</b>	I&A: \$75,000.00 (real property)	
	<b>Inventory</b>		3. Petitioner states that personal property is included at #13, but does not provide a description of any personal property, and no personal property was included in the I&A. Need clarification.
	<b>PTC</b>	Decedent died intestate	
	<b>Not.Cred.</b>		4. The order does not include or attach the legal description of the real property (and personal property?) passing to Petitioner, or Petitioner's interest.
N/A	<b>Notice of Hrg</b>	Petitioner requests court determination that Decedent's real property passes to her.	
	<b>Aff.Mail</b>		<b>Note to Judge:</b> The order is in the file, but is incomplete per above. If granted, Examiner can prepare based on the minute order.
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 6-19-12
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 20 - Campos</b>

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 1 DOB: 10/09/2010		<b>GENERAL HEARING 08/20/2012</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>GINA MUNIZ</b> , Maternal Grandmother, is Petitioner.		1. Need Notice of Hearing.	
		Father: <b>UNKNOWN</b>		2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Mother: <b>DANIELLE MUNIZ</b>		<ul style="list-style-type: none"> <li>Father (Unknown)</li> <li>Danielle Muniz (Mother)</li> </ul>	
	Aff.Sub.Wit.		Paternal grandfather: Not Listed		
✓	Verified		Paternal grandmother: Not Listed		
	Inventory		Maternal grandfather: Daniel Muniz,		
	PTC		Declaration of Due Diligence filed 06/06/2012		
	Not.Cred.				
	Notice of Hrg	x		3. UCCJEA provides the child's residence from 06/02/2012 to present only. Need minor's residence from birth.	
	Aff.Mail	n/a			
	Aff.Pub.		<b>Petitioner alleges:</b> mother is on meth and is homeless. She leaves the child with whoever will watch her for money. She abuses her welfare money on drugs, sells food stamps and the child goes without. Mother abandoned the child for nine days with some girls that were also on drugs. Petitioner believes that child is being molested.		
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting			<b>Reviewed by:</b> LEG / LV	
	Status Rpt			<b>Reviewed on:</b> 06/18/2012	
✓	UCCJEA			<b>Updates:</b>	
	Citation			<b>Recommendation:</b>	
	FTB Notice			<b>File 21 - Padilla</b>	

**Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)**

<b>Juliana Diaz</b> Age: 13 DOB: 02/04/1999		<b>GENERAL HEARING 08/13/2012</b>  <b>GRACE ESPINOSA</b> , Maternal Aunt, is Petitioner  Father: <b>ANTONIO EFRAIN DIAZ</b>  Mother: <b>JOANNA DIAZ</b> , personally served 06/13/2012  Paternal grandfather: Antonio Diaz, Deceased Paternal grandmother: Unknown, Deceased  Maternal grandfather: Feliciano Martinez, Deceased Maternal grandmother: Consuelo Martinez, Deceased  <b>Petitioner alleges:</b> parents are unable to care for the children due to their drug abuse. Parents have been incarcerated at least three times as far as petitioner knows. Father is currently incarcerated for possession and has probation hold. Mother is homeless and was previously arrested but released. Petitioner fears if the parents get the children and are arrested again that CPS will get involved and take the children from the family.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>Antonio Efrain Diaz (Father)</li> </ul> 2. Proof of personal service of the Notice of Hearing filed 06/13/2012 lists the Petitioner's name as the person who was served with notice.
<b>Nathan Diaz</b> Age: 9 DOB: 02/13/2003			
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b> w		
<input type="checkbox"/>	<b>Aff.Mail</b> n/a		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG / LV <b>Reviewed on:</b> 06/18/2012 <b>Updates:</b> <b>Recommendation:</b> <b>File 22 - Diaz</b>	